

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Nicolas Bosonetto, et al.

v.

Civil No. 12-cv-277-JL

Town of Richmond, et al.

O R D E R

On October 17, 2012, the plaintiffs filed a Motion for leave to name an additional defendant and file an amended complaint. On November 8, 2012, the Court granted the motion and ordered plaintiffs to serve Sean McElhiney with the amended complaint, pursuant to Fed R. Civ. 4, within twenty-one days of the date of that order.

On November 21, 2012, plaintiff Nicholas Bossenetto filed a certificate of service for Sean McElhiney. The certificate of service indicates that plaintiff Nicholas Bossenetto served the summons. Pursuant to Fed R. Civ. 4(c) this service is improper. Rule 4(c) states "Any person who is at least 18 years old and not a party may serve a summons and complaint." It is herewith ordered that the plaintiffs shall make proper service on or

before December 14, 2012, or defendant Sean McElhiney will be dismissed without prejudice.

SO ORDERED.



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Landya B. McCafferty  
U.S. Magistrate Judge

November 28, 2012

cc: Nicolas Bosonetto, pro se  
Jill Bosonetto, pro se  
Daniel J. Mullen, Esq.